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3743



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Patent Application of

CALLUAUD et al.

Atty. Ref.: 4398-21

Serial No. 09/466,971

TC/A.U.: 3743

Filed: December 20, 1999

Examiner: Aaron J. Lewis

For: SUBSTANCE DELIVERY APPARATUS

\* \* \* \* \*

September 1, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO RECEIPT OF PRIORITY ACKNOWLEDGMENT**

Applicants filed a Request for Acknowledgment of Priority Claim on July 20, 2005 for the above-identified application (copy attached). Applicants received a "Priority Acknowledgment" mailed August 3, 2005 indicating that the claim for priority filed in parent application number 08/989,150 is acknowledged, however the Priority Acknowledgment paper identifies the parent application information (08/989,150) where the above-identified child application information (09/466,971) should be. A marked-up copy of the Priority Acknowledgment is attached.

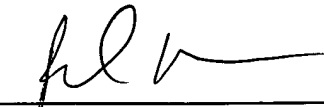
Applicants respectfully request that the Priority Acknowledgement paper be reissued in connection with U.S. Application No. 09/466,971.

Should the Patent Office have any questions regarding this submission, please feel free to contact the undersigned at the telephone number listed below

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_



Paul T. Bowen  
Reg. No. 38,009

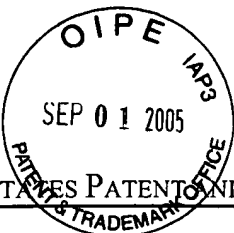
PTB:jck

Attachments:

Copy of Request for Acknowledgment of Priority Claim  
Marked-up Priority Acknowledgment

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MTB  
4398-63-21



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
<del>08/989,150</del> <b>09/466,971</b> 23117 7590	<del>12/12/1997</del> <b>12/20/99</b> 08/03/2005	MICHEL CALLUAUD	38730.0003- <b>830029</b> 8487- <b>1797</b>	
NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			EXAMINER <del>WEISS JR, JOSEPH FRANCIS</del> <b>Aaron J. Lewis</b>	
			ART UNIT	PAPER NUMBER
			<del>3761</del> <b>3743</b>	
DATE MAILED: 08/03/2005				

PRIORITY ACKNOWLEDGMENT

- ☐ 1. Receipt is acknowledged of priority papers submitted under 35 U.S.C. 119. The papers have been placed of record in the file.
- ☒ 2. Applicant's claim for priority, based on papers filed in parent Application Number 08/989,150 submitted under 35 U.S.C. 119, is acknowledged.
- ☐ 3. The priority papers, submitted \_\_\_\_\_, after payment of the issue fee are
- ☐ acknowledged  
While the priority claim or certified copy filed will be placed in the file record, neither will be reviewed and the patent when published will not include the priority claim.  
See 37 CFR 1.55(a)(2).
- ☐ not acknowledged since the processing fee in 37 CFR 1.17(i) has not been received.
- ☐ 4. For utility and plant applications filed on or after November 29, 2000, the priority claim is not entered because the claim was not presented within the time limit required by 37 CFR 1.55(a)(1). A petition to accept a delayed claim for priority under 35 U.S.C. 119(a) - (d) or (f), or 365(a) may be filed. See 37 CFR 1.55(c) and MPEP 201.14(a).

*Timothy Callueo*  
Manager, Publishing Division  
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